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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/476,708	12/30/1999	IANNE MAE HOWARDS KORITZINSKY	GEMS:0036-1/	8181

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EXAMINER
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ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 04/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary	Application No.	Applicant(s)	
	09/476,708	KORITZINSKY ET AL.	
	Examiner	Art Unit	
	Nicholas D. Rosen	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *59-64 and 66-78* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *59-64 and 66-78* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 December 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Claims 59-64 and 66-78 have been examined.

Response to Challenges of Official Notice

Applicant has challenged examiner's takings of official notice.

In rejecting claim 61, the examiner took official notice that it is well known to transmit authorization prompts. This is supported by Strauss et al. (U.S. Patent 5,790,173), column 21, lines 38-55.

In rejecting claim 64, the examiner took official notice that it is well known for indicia to include textual descriptions of programs or products (e.g., catalog entries). This is supported by Grate et al. (U.S. Patent 5,956,483), column 8, line 66, through column 9, line 12.

In rejecting claim 69, the examiner took official notice that it is well known to view lists of products or files that may be ordered, and select the desired item from the list. This is supported by Wyatt (U.S. Patent 6,041,411), column 4, lines 46-52; column 9, lines 29-46; and column 9, line 54, through column 10, line 5.

In rejecting claim 71, the examiner took official notice that it is well known to transmit descriptive data with files or programs. This is supported by Kuwabara (U.S. Patent 6,065,136), column 5, line 63, through column 6, line 12. It is further supported by Sekiguchi (U.S. Patent 6,288,799), Abstract; column 4, lines 47-61; column 9, line 60, through column 10, line 42; column 11, lines 3-19. [Note also Miller et al. (U.S. Patent 6,151,696), column 14, lines 31-40; and Evans, "Compression via Guided Parsing."]

In rejecting claim 77, the examiner took official notice that it is well known for various devices to be networked to computer workstations. This is supported by Pourjavid (U.S. Patent 5,883,985), column 1, lines 6-9 and 28-34; column 3, lines 38-56; column 5, line 67, through column 6, line 4.

In rejecting claim 78, the examiner took official notice that it is well known for storage devices to be local to remote providers. This is supported by Ross et al. (U.S. Patent 6,026,417), Figure 1A; column 6, lines 53-60.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 59-64 and 66-68

Claims 59, 60, 66, and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al. (U.S. Patent 5,891,035) in view of Reeder (U.S. Patent 5,852,812). As per claim 59, Wood discloses a method for providing operational protocols to medical diagnostic systems, the method comprising the steps of: storing a protocol on a machine readable medium, the protocol including at least one operating parameter for a medical diagnostic system (column 2, lines 8-19 and 30-49; column 7, lines 1-43); displaying user viewable indicia descriptive of the protocol at a medical diagnostic location (column 2, lines 8-19 and 30-49; column 7, line 1, through column 8, line 4); and performing a protocol exchange transaction including selecting the protocol via a user interface and loading the protocol at the medical diagnostic location from the machine readable medium via a network connection to the medical diagnostic location (column 6, line 15, through column 8, line 4; Figures 1 and 2). Wood does not disclose storing an accounting record of the transaction, but Reeder teaches doing this (column 14, lines 25-37). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to store an accounting record of the transaction, for the stated advantage of billing users for downloading files (of which protocols are an example).

Wood does not expressly disclose that the user viewable indicia include an exemplary image obtainable via the protocol, but Wood does disclose exemplary images obtainable via the diagnostic system, and presumably via the protocol (column 9, line 67, through column 10, line 43). Hence, it would have been obvious to one of

ordinary skill in the art at the time of applicant's invention for the user viewable indicia to include an exemplary image obtainable via the protocol, for the stated advantages of aid in making a diagnosis from images obtained by the diagnostic system, and training new diagnostic system users, and for the obvious advantage of demonstrating what the protocol can do.

As per claim 60, Reeder teaches that the accounting record includes data for invoicing fees associated with downloading a file (column 14, lines 25-42). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have the accounting record include data for invoicing fees associated with the protocol, for the obvious advantage of profiting from charging such fees.

As per claim 66, Wood discloses that the user viewable indicia are viewed at a computer workstation coupled to the medical diagnostic system, at least in the sense that the medical diagnostic system includes features which qualify it as being, or including, a computer workstation (Figures 1 and 3; column 3, lines 11-40).

As per claim 68, Wood discloses that the network connection can include the Internet (Abstract; column 7, lines 20-26).

Claims 61 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood and Reeder as applied to claim 59 above, and further in view of official notice. As per claim 61, Wood does not disclose transmitting an authorization prompt to the medical diagnostic location prior to loading the protocol, but official notice is taken that it is well known to transmit authorization prompts. Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to transmit

an authorization prompt to the medical diagnostic location prior to loading the protocol, for the obvious advantage of causing the user to authorize loading the protocol, thus enabling the protocol supplier to charge for loading the protocol, and also avoiding the complaints, ill will, and possible legal liability apt to arise from loading protocols without authorization.

As per claim 64, Wood does not expressly disclose that the user viewable indicia include a textual description of the protocol, although Wood's words at column 7, lines 27-33, and column 7, line 59, through column 8, line 4 are quite suggestive. It appears improbable that a user of Wood's system would download a protocol new to the user with no textual description of the protocol; even in the case of a protocol familiar to the user, a textual description would be helpful for identifying the protocol, distinguishing it from other available protocols, and reminding the user of exactly what it did. In any event, official notice is taken that it is well known for indicia to include textual descriptions of programs or products (e.g., catalog entries). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have the user viewable indicia include a textual description of the protocol, for the obvious advantage of enabling the user to conveniently acquire information about the protocol.

Claims 62 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood and Reeder as applied to claim 59 above, and further in view of Wyman (U.S. Patent 5,260,999). As per claim 62, Wood does not disclose verifying a service subscription of the medical diagnostic location, the accounting record referencing the subscription, but Wyman teaches verifying a service subscription of a site seeking to

use a program (column 6, line 43, through column 7, line 40) an accounting record referencing the subscription (column 7, lines 12-30 in particular). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to verify a service subscription of the medical diagnostic location, and have an accounting record reference the subscription, for the obvious advantages of avoiding providing protocols to users who have not paid for subscriptions, and checking protocols downloaded against subscribers, particularly in the case of what Wyman terms a consumptive style, where a subscription allows only a limited number of downloads.

As per claim 63, Wyman teaches that subscriptions are time-expiring subscriptions (column 27, lines 4-11; note also references to "duration" in Abstract and column 7, lines 3-40). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention for the subscription verified to include data representative of a time-expiring subscription, for the obvious advantage of avoiding the unwanted giveaway of protocols for which a subscription had expired.

Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood and Reeder as applied to claim 59 above, and further in view of Clarke et al. (U.S. Patent 5,982,917). Wood discloses that the protocol includes data for filming, viewing, reconstructing, or processing images (column 2, line 60, through column 3, line 10), but does not quite disclose doing so for images reconstructed from image data; however Clarke teaches data for filming, viewing, reconstructing, or processing images reconstructed from image data (Figures 4, 5, 7, 8, and 9; associated text in columns 5 and 6 describing these figures; column 10, lines 53-67). Hence, it would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to have the protocol include data for filming, viewing, reconstructing, or processing images reconstructed from image data, for the stated advantage (see Clarke, Abstract) of enhancing the analysis of images, and thus, for example, better distinguishing malignant from benign masses.

Claims 69-73

Claims 69 and 71-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al. (U.S. Patent 5,891,035) in view of Reeder (U.S. Patent 5,852,812), and official notice. As per claim 69, Wood discloses a method for obtaining an operational protocol for a medical diagnostic system or institution, the method comprising: performing a transaction by accessing data from a protocol library defining the desired protocol via a network link between the diagnostic system or institution and the library, and transmitting the data from the library to the diagnostic system (column 7, lines 1-58). Wood does not expressly disclose ordering a protocol by viewing a protocol list on a user interface at the medical diagnostic system, and selecting a desired protocol from the list, but does disclose referencing preferred presets (protocols) from an HTML page for retrieval over the Internet or another network (column 7, lines 20-26), which comes close. Moreover, official notice is taken that it is well known to view lists of products or files that may be ordered, and select the desired item from the list. Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to order a protocol by viewing a protocol list on a user interface at the medical

diagnostic system or institution, and selecting a desired protocol from the list, for the obvious advantage of conveniently learning what protocols are available, and obtaining the most suitable protocol.

Wood does not disclose storing a record of the transaction, but Reeder teaches storing a record of a transaction (the transaction comprising downloading a file; column 14, lines 25-37). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to store a record of the transaction, for the stated advantage of billing users for downloading files, of which protocols are an example.

Wood does not expressly disclose that the protocol list includes an exemplary image obtainable via the protocol, but Wood does disclose exemplary images obtainable via the diagnostic system, and presumably via the protocol (column 9, line 67, through column 10, line 43). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention for the protocol list to include an exemplary image obtainable via the protocol, for the stated advantages of aid in making a diagnosis from images obtained by the diagnostic system, and training new diagnostic system users, and for the obvious advantage of demonstrating what the protocol can do.

As per claim 71, Wood does not expressly disclose transmitting data descriptive of the protocol to the medical diagnostic system for addition to the protocol list, but official notice is taken that it is well known to transmit descriptive data with files or programs. Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to transmit data descriptive of the protocol to the medical

diagnostic system, for the obvious advantage of enabling the user to easily determine which protocol was which.

As per claim 72, Wood does not disclose authorizing a fee for the protocol, but Reeder teaches charging a fee for downloading a file (column 14, lines 25-42), from which authorizing a fee is held to be obvious, since attempting to charge people fees which they have in no way authorized would in many cases lead to complaints, refusal to pay, and possible litigation or prosecution. Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to authorize a fee for the protocol, for the obvious advantage of collecting fees without these difficulties.

As per claim 73, Wood discloses that the network link can include the Internet (Abstract; column 7, lines 20-26).

Claim 70 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood, Reeder, and official notice as applied to claim 69 above, and further in view of the admitted prior art. Wood contains no indication that the protocol list includes protocols for anything except a modality of the medical diagnostic system (ultrasound), from which it is held to be obvious for the protocol list to include only protocols for a modality of the medical diagnostic system. Wood does not disclose that the library includes protocols for a plurality of diagnostic system modalities, but it is admitted prior art that there are a plurality of diagnostic system modalities with respective protocols (the instant application, page 1, line 22, through page 2, line 25). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention for the library to include protocols for a plurality of diagnostic system modalities, for the obvious

advantage of enabling users of a plurality of diagnostic systems to obtain suitable protocols.

Claims 74-78

Claims 74-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al. (U.S. Patent 5,891,035). As per claim 74, Wood discloses a system for providing operational protocols to a medical diagnostic station or institution, the system comprising: at least one storage device for storing data defining a protocol, the protocol including data for controlling operation of the diagnostic station (column 2, lines 8-19 and 30-49; column 7, lines 1-46); a messaging module in the diagnostic station or the institution for formulating messages containing data descriptive of a desired protocol (column 7, lines 20-29); and communications circuitry for establishing a network link between the diagnostic station or institution and a remote protocol provider, for transmitting data descriptive of the desired protocol, and for receiving a reply from the remote protocol provider (column 2, lines 8-19 and 30-49; column 3, line 27, through column 4, line 16; column 7, line 1, through column 8, line 4). Wood does not expressly disclose that the descriptive data include an exemplary image obtainable via the protocol, but Wood does disclose exemplary images obtainable via the diagnostic system, and presumably via the protocol (column 9, line 67, through column 10, line 43). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention for the descriptive data to include an exemplary image obtainable via the protocol, for the stated advantages of aid in making a diagnosis from images

obtained by the diagnostic system, and training new diagnostic system users, and for the obvious advantage of demonstrating what the protocol can do.

As per claim 75, Wood discloses that the communications circuitry is configured to access the Internet and to transmit the data descriptive of the desired protocol in a message via the Internet (Abstract; column 7, lines 20-29).

As per claim 76, Wood discloses that the messaging module is provided on the medical diagnostic station (column 3, lines 11-38; column 5, lines 42-54; column 7, line 1, through column 8, line 4; Figure 3).

Claims 77 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al. (U.S. Patent 5,891,035) and as applied to claim 74 above, and further in view of official notice. As per claim 77, Wood does not expressly disclose that the managing module is provided on a computer workstation networked to the medical diagnostic station within the institution, except in the sense that the medical diagnostic system includes a computer workstation (Figures 1 and 3; column 3, lines 11-40). However, aside from the issue of whether the claim language is met by something networked to itself, official notice is taken that it is well known for various devices to be networked to computer workstations. Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention for the computer workstation on which the messaging module is provided to be networked to the medical diagnostic station within the institution, for the obvious advantage of enabling the computer workstation to be used to control the diagnostic equipment, acquire data from the diagnostic equipment, and obtain protocols to be used with the diagnostic equipment,

without need for the computer workstation and the diagnostic equipment to be physically joined, a distinct advantage for one wishing to use the computer workstation with several workstations, or to put it to other uses (e.g., word processing) as well as connecting it to medical diagnostic station(s).

As per claim 78, Wood does not expressly disclose that the storage device is local to the remote protocol provider, but neither does Wood suggest that the storage device is not local to the remote protocol provider. Official notice is taken that it is well known for storage devices to be local to remote providers (e.g., disks and other memories in servers). Hence, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention for the storage device to be local to the remote protocol provider, for the obvious advantage of enabling the remote protocol provider to have convenient access to the protocols it was to provide.

Response to Arguments

Applicant's arguments filed February 14, 2002, have been fully considered, but are not persuasive. First, Applicant argues that the primary reference (Wood, U.S. Patent 5,891,035) is deficient in that (by Examiner's admission) it does not expressly disclose that the user viewable indicia include an exemplary image obtainable via the protocol; Applicant accuses Examiner of merely presuming this feature from passages in the Wood reference. However, as may readily be verified from column 10 of Wood (and from Figure 2), Wood discloses a reference image library from which a user of an ultrasound system can pull down exemplary images via a network, so as to compare

those exemplary images with patient images. The only deficiency of Wood in this regard is that Wood does not expressly state that the exemplary images are obtainable via the protocol which is stored on a machine readable medium, the protocol including at least one operating parameter for a medical diagnostic system (column 2, lines 8-19 and 30-49; column 7, lines 1-43). Wood's invention may involve precisely this, or may involve the exemplary images being obtained through other programs on Wood's ultrasound machine, and then used in conjunction with downloaded presets (protocols) which Wood discloses. Applicant writes, "These images are used to aid in making diagnoses, not for displaying images obtainable via the protocol." Examiner responds that these images are used to aid in making diagnoses, precisely by displaying images similar to those obtained by the protocol (column 10).

In response to Applicant's argument that Reeder (U.S. Patent 5,852,812) is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Reeder is not in the field of medical diagnostic systems, but is reasonably pertinent to the particular problem with which Applicant was concerned, charging users for downloading files and other usage of a computer network. It may be observed that Reeder is not, contrary to Applicant's contention, merely directed to an online billing system for exchanging international currency from credit card transactions, but, in Reeder's own words, a billing system for on-line

computer networks, where billable events can include access to premium services, file downloads, or gateway connections to other systems (Abstract). Reeder's failure to disclose an exemplary image obtainable via a protocol does not matter, since Reeder was not relied on for that, which Wood quite explicitly discloses, but for storing an accounting record. Providers of diagnostic device protocols, and exemplary images therefor, like providers of other programs, file downloads, etc., may well wish to be paid for the products they provide. Examiner acknowledges that motivation is required to combine references, but holds that the desire to be paid is generally a strong and obvious motivation for those in business.

In response to Applicant's challenge, Examiner has provided prior art to support his various takings of official notice.

In traversing Examiner's rejection of claim 69, Applicants argue that "comes close" is not a legal standard for obviousness. Examiner agrees, and therefore did *not* reject claim 69 over Wood merely because Wood's disclosure of referencing preferred presets (protocols) from an HTML page for retrieval over the Internet or another network *comes close* to disclosing ordering a protocol by viewing a protocol list on a user interface at the medical diagnostic system, and selecting a desired protocol from the list. Instead, Examiner took official notice that it is well known to view lists of products or files that may be ordered, and select the desired item from the list. Furthermore, Applicant asserts that the Wood et al. reference fails to disclose even associating exemplary images with the presets. Examiner calls Applicant's attention to Wood's statement, "The reference (exemplary) image is then used as a comparative image to

aid in making a diagnosis from images obtained by the ultrasound system." (Column 10, lines 39-41). As this follows Wood's description of obtaining reference images, which follows the disclosure of downloading presets for obtaining images, it is hard not to make the association.

Applicant's arguments regarding the alleged non-analogous nature of Reeder, and the challenge to Examiner's taking of official notice, repeat what has gone before, and are answered as set forth above. Applicant's arguments regarding claim 74 and its dependence likewise parallel the arguments made for other claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Strauss et al. (U.S. Patent 5,790,173) disclose an advanced intelligent network having digital entertainment terminal or the like interacting with an integrated service control point (including prompting for an authorization code). Pourjavid (U.S. Patent 5,883,985) discloses a method of compensating image data to adjust for characteristics of a network output device (and networking devices, medical imaging devices in particular, to computer workstations). Grate et al. (U.S. Patent 5,956,483) disclose a system and method for making function calls from a web browser to a local application (including textual descriptions of products). Ross et al. (U.S. Patent 6,026,417) disclose desktop publishing software for automatically changing the layout of content-filled documents (with storage devices local to a server). Wyatt (U.S. Patent 6,041,411) discloses a method for defining and verifying user access rights to a

computer information (and selecting a product from a list). Kuwabara (U.S. Patent 6,065,136) discloses a system for remote diagnosis of device troubles (in which programs are transmitted with descriptive titles). Miller et al. (U.S. Patent 6,151,696) discloses data transmission (with descriptive information). Sekiguchi (U.S. Patent 6,288,799) discloses image communicating apparatus (and description forms for image data).

Evans, "Compression via Guided Parsing" (abstract only), discloses guided parsing, and mentions that an increasingly common form of transmitted data is a computer program description.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen, whose telephone number is 703-305-0753. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins, can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and for After Final communications. Non-official/draft communications can be faxed to the examiner at 703-746-5574.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Nicholas D. Rosen
March 25, 2003